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Attorneys for Defendant
Conseco Senior Health Insurance Company

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JACK CASTOR,)
)
Plaintiff,)
)
vs.)
)
CONSECO SENIOR HEALTH)
INSURANCE COMPANY & AIG)
LIFE INSURANCE COMPANY,)
)
Defendants.)

CIVIL ACTION NO.: 3:08-CV-4720 PJH

STIPULATION TO EXTEND PRIVATE
MEDIATION DEADLINE; ~~PROPOSED~~ ORDER

1 **COME NOW** the parties, plaintiff Jack Castor (“Plaintiff”), defendant Conseco Senior
2 Health Insurance Company (“CSHIC”), and defendant AIG Life Insurance Company (“AIG”)
3 (collectively the “Parties”), by and through their respective counsel, and pursuant to Civil L. R. 7-11,
4 hereby respectfully request an order from this Court amending the scheduling order to extend the
5 private mediation deadline to July 15, 2009. In support thereof, the Parties show good cause and
6 stipulate as follows:

7
8 1. On or about January 27, 2009, the Court entered its scheduling order in this action,
9 stating that private mediation is “to be completed within 5 months” - by June 27, 2009, in other
10 words.

11 2. In April 2009, CSHIC sought new counsel to defend its interests in this action,
12 substituting in new counsel of record on or about April 28, 2009. Said substitution inevitably
13 created a slight delay in the progress of the litigation of this action.

14
15 3. Since then, however, the Parties have continually discussed their mediation
16 obligations in this case and, ultimately, jointly selected the Honorable Edward A. Infante to serve as
17 the mediator in the case.

18 4. Counsel for each party in this case resides in a different California city. The actual
19 Parties in this action live in three different states. Taking into account each party’s, and their
20 respective counsel’s, travel arrangements, coupled with Judge Infante’s limited availability,
21 scheduling a mutually agreeable mediation date prior to June 27, 2009 was not feasible.

22
23 5. Accordingly, on or about May 20, 2009, the Parties scheduled the mediation with
24 Judge Infante for July 15, 2009, subject to the Court’s approval.

25
26 6. In light of the foregoing, the Parties respectfully request that this Court extend the
27 private mediation deadline in this case to July 15, 2009.

1 **WHEREFORE, PREMISES CONSIDERED**, the Parties respectfully request that this
2 Court enter an Order amending its scheduling order and extending the private mediation deadline in
3 this action to July 15, 2009.

4
5 DATED: June 8, 2009

BRADLEY ARANT BOULT CUMMINGS LLP

6
7 By: s/Jamie L. Moore

Jamie L. Moore (admitted *pro hac vice*)

8 D. Brian O'Dell (admitted *pro hac vice*)

9 Jason R. Bushby (admitted *pro hac vice*)

10 BULLIVANT HOUSER BAILEY PC

11 Andrew B. Downs, SBN 111435

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12 Attorneys for Defendant

13 Conesco Senior Health Insurance Company

14 DATED: June 8, 2009

KANTOR & KANTOR, LLP

15
16 By: s/Corinne Chandler

Corinne Chandler

17 Attorneys for Plaintiff Jack Castor

18
19 DATED: June 8, 2009

WILSON ELSEER MOSKOWITZ EDELMAN & DICKER
LLP

20
21 By: s/Dennis J. Rhodes

Adrienne Clare Publicover

22 Dennis J. Rhodes

23 Attorneys for Defendant AIG Life Insurance Company

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

the private mediation deadline is hereby extended to July 15, 2009.

DATED: 06/11/09

